

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

4 March 2016

Present: K Ball, S Barker, G Gribble, P Harper, S Hill, P Hitchins, M Jeffery, J Kidner, D Lloyd, J McInnes (Chairman), I Mortimer, D Moyse, C Pannell, M Retallick, P Sanders (Deputy Chairman), D Webber

Apologies: J Christophers, N Oakley, J Hockridge

1121 Minutes of the meeting held on Friday 5 February 2016

The minutes of the meeting held on 5 February 2016 were signed as a correct record.

1122 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix attached to the Agenda (Membership of other Councils).

Members declared receipt of correspondence, in relation to Items 1 and 2 – 0591/15 and 0592/15 at East Shallowford Farm, Widecombe-in-the-Moor.

Mrs Pannell declared a personal interest, due to being an acquaintance of the applicants, in Item 4 – 0002/16 – Change of use to live-work unit at Kingswood House, Exeter Road, South Brent

1123 Items requiring urgent attention

None.

1124 Site Inspections

Members received the report of the Head of Planning (NPA/DM/16/008)

Item 1 and Item 2 were taken together.

Item 1 – 0557/15 – Hard landscaping works, alterations to access and associated works (Full Planning permission), South Wing Guest Hall, Buckfast Abbey

Item 2 – 0558/15 - Hard landscaping works, alterations to access and associated works (Listed Building Consent), South Wing Guest Hall, Buckfast Abbey

The Case Officer reported that a comprehensive site visit had taken place, with the presence of Historic England and National Park Officers.

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Date 1 - 4 - 16

Some Members felt that this particular site inspection had demonstrated the value of site visits, as it was considered to be very difficult to see the impact of the proposal without seeing the site. Historic England had highlighted the importance of the history of the walls and significance in the scheduled ancient monument. Members considered that the proposal for the access ramps and bridge incorporating the reduction of the nearby ruined walls would have an adverse impact on the setting of the scheduled monument and the listed Guest Hall. They also considered that the landscaped mound would cause a degree of harm through its intrusion and impact on the views of the area.

The Case Officer advised Members of two additional proposed reasons for refusal for planning permission:

2. The proposed landscaping works, alterations to access and associated works, by reason of their scale and design, would have a detrimental impact on the setting of the grade II listed building and its surroundings contrary to policies COR1, 3, 4, 5, 6 and DMD 1a, 1b, 7 and 8 of the Development Plan and the advice contained in the English National Parks and the Broads UK Government circular 2010 and the National Planning Policy Framework 2012.
3. The proposed lowering of the historic walls, part of the scheduled ancient monument, would harm the designated heritage asset contrary to policies COR6 and DMD8 of the Development Plan and the advice contained in the National Planning Policy Framework 2012.

Mrs Pannell proposed the recommendation to refuse permission, subject to the addition of reasons 1 and 2 as above, which was seconded by Mr Hitchins.

The Case Officer reported that the Listed Building Consent was in relation to the works to the Guest Hall and advised Members of an additional proposed reason for refusal for Listed Building Consent:

2. The proposed works to the Listed Building to accommodate the new access, alterations to access and associated works, would have a detrimental impact on the grade II listed building and its setting contrary to policies COR1, 4, 5, 6 and DMD 1b, 7 and 8 of the Development Plan and the advice contained in the English National Parks and the Broads UK Government circular 2010 and the National Planning Policy Framework 2012.

Mr Hitchins proposed the recommendation to refuse permission, subject to the addition of reason 2 as above, which was seconded by Mrs Pannell.

Signed James R NCT

Date 1-4-16

RESOLVED:

That due to the reason as stated in the report, together with the additional reasons as set out above, planning permission be REFUSED.

RESOLVED:

That due to the reason as stated in the report, together with the additional reason as set out above, consent be REFUSED.

1125 Applications for Determination by the Committee

Members received the report of the Head of Planning (NPA/DM/16/009).

Item 1 and Item 2 were taken together.

Item 1 – 0591/15 – Change of use, conversion and extension to existing barns to form accommodation for holiday/educational use including staff accommodation and office facilities and the erection of new agricultural barns (Full Planning Permission), East Shallowford Farm, Widecombe-in-the-Moor

Item 2 – 0592/15 - Change of use, conversion and extension to existing barns to form accommodation for holiday/educational use including staff accommodation and office facilities and the erection of new agricultural barns (Listed Building Consent), East Shallowford Farm, Widecombe-in-the-Moor

Speakers: Mr N Cowling - Objector
Mr T Thompson – East Shallowford Farm Trustee

The Case Officer informed Members that since the report had been written several letters of objection had been received; a joint letter from four local farmers and 27 from individuals and organisations, many of whom were relatively local to the site and most of which had already written in. Members were also informed that ten letters of support had also been received, including from the Devon Federation of Young Farmers' Clubs and a local farmer who refers to the role of East Shallowford in promoting the 'Farm to Fork' programme which educates children in local food sourcing and sustainability.

The Case Officer reported that since the report had been written the applicants had submitted a lighting strategy which the Ecologist had advised should include much more detail to satisfy her concerns. A sustainability statement had also been submitted which outlined the principal social and economic benefits of the proposed development, which the applicants argue help the National Park Authority to deliver the socio-economic duty. These include contributing to the local economy through expenditure and trade with local businesses, providing educational facilities specifically tailored to encouraging a greater understanding and appreciation of the National Park and its farming community, working with local volunteers to carry out the

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Date 1 - 4 - 16

charitable work at the farm as well as employing locals and wider social benefits coming from work with a wide variety of people from areas of urban disadvantage, including those from diverse ethnic and cultural backgrounds.

Members were advised that whilst the applicants had engaged in considerable pre-application discussions with officers, and that the officer remained hopeful that further information could enable the matters highlighted in reason 6 as set out in the report to be addressed that the issues highlighted in reasons 1 to 5 as set out in the report required a fundamental re-think and therefore refusal was recommended.

Mr Cowling stated that he was the Chairman of the Dartmoor Preservation Association, speaking on behalf of a large number of residents. He reported that whilst the achievements of the Trust were recognised, due to its location and scale, it was considered to be a substantial proposal and endorsed the officer recommendation. It was felt that the location was a remote medieval landscape with no modern intrusions, which must be protected from inappropriate development, that the development was too large within the setting of a medieval farm (a protected heritage asset) and was inappropriate development which would have a highly damaging impact. Multiple new commercial activities were proposed. It was considered that there was no overriding justification for the staff accommodation and the proposal would result in holiday accommodation in new buildings.

With regards to the Listed Building Consent Mr Cowling reported that he believed Shallowford to have a high significance within the Dartmoor National Park and it must be protected. The new building would have a damaging impact on the setting and endorsed the officer recommendation.

Mr Thompson stated that he has been involved in charitable work with the Trust for about 20 years. The Trust considers that their work has always been in accord with the statutory purposes of the National Park but due to an increasing emphasis on ensuring the health and safety of all who live and visit the farm and the need to provide a sound financial basis to support the farm means, the Trust cannot continue to operate in the way that it does. He reported that the proposals were to ensure that the work continues for many years to come and designed to strengthen an existing charity which farms the land and provides an educational experience for young people. He informed Members that the Trust had been in discussion with the Authority regarding a legal agreement to control the use of the site in line with their charitable aims and were happy to progress these further. Following the submission of an application last October, the Trust submitted revised plans earlier this year to address further points raised by officers and consultees, but were very disappointed to learn of the officer's recommendation prior to the Committee meeting. The Trust felt that the proposal was a viable financial future for the farming activities to continue with a new farm building expressly designed to ensure safe interaction between animals and visitors and failed to see how such proposals could be at odds with the Authority's policies to maintain the core agricultural activities in the National Park. Whilst the Trust had had extensive discussions with officers they felt they had received conflicting advice about the location and nature of the new farm building but would be

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James D. H. Thomas

Date 1 - 4 - 16

willing to amend either the location or design of the building further if required. The Trust found the recommendation for refusal, due to a lack of information, frustrating but were happy to provide additional detail required and requested a fair opportunity to address those points before the application was determined. In conclusion, the Trust felt that the proposals were designed to achieve the long term and sustainable future for the farm and requested that the Committee undertook a site visit before determining the application.

Members expressed concerns regarding the level of activity and the level of overnight accommodation and questioned the reason as to why the farm house was not an integral part of the proposals.

Mr Thompson explained that currently there is no purpose built overnight accommodation and that the new proposal would be for 11 bedrooms with approximately 40 beds, as due to child protection reasons, fully segregated accommodation would be needed. The farmhouse currently has four bedrooms, one of which has recently been refurbished and is used by the farm manager. He confirmed that regular visits currently take place on the farm with a maximum of 20 visitors at a time and also confirmed that the activities currently taking place at Bellever would transfer to farm. He clarified that the Trust's source of income was from the educational activities.

In response to a Member query relating to whether the charitable aspects of the proposal could be protected if the charity ceased to operate, the Head of Legal and Democratic Services explained that a use restriction could be imposed if it were relevant to planning and reasonable. However, it was hard to see how a restriction to charitable organisations or purposes would be relevant to planning, in terms of the built development and character of the use.

In response to a Member query relating to whether a building with a more modest design could be considered, the Case Officer reported that during pre-application discussion it was clear that 40 beds were needed as the children were required to be segregated.

Whilst Members wished to work with and support the Trust's aims and know that the charity has benefitted inner city children for many years, the proposal was considered to be too large a development which does not sit suitably within the site. Members felt that the site would double in size, the proposal would suggest in addition for 40 people to be resident on site which was considered to be a radical shift from a small farmstead to an education facility and due to the small roads the access would not be ideal for the traffic increase.

Mr Barker proposed the recommendation to refuse planning permission, which was seconded by Mr Sanders.

A Member explained that whilst the principle of the Trust was supported, it was felt that the application had arisen from a business model. The site was in an extremely significant and sensitive area which was considered

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Date 1 - 4 - 16

unsuitable for such a substantial development. The Member felt that the business model needed to be revised to reduce the provision of accommodation on the farm and supported the proposed recommendation for refusal.

Some Members considered the proposal to be larger than expected and suggested that a site visit take place.

The Case Officer, in introducing the Listed Building Consent application, stated that this was concerned with the alterations to the listed buildings and showed an additional slide of the proposed new joinery. She stated that although as they saw on the photo there had been internal modifications to the buildings in the past, the issue of internal details remained hence the recommended reason for refusal. She informed Members that five letters of objection and one letter of support had been received in relation to this application.

The Head of Planning concluded that the reference to setting in the proposed reason addressed the issues dealt with in more detail by reason 5 on the planning application and that the recommended reason was sufficient for Listed Building Consent purposes.

Dr Mortimer proposed the recommendation to refuse Listed Building Consent, which was seconded by Mr Ball.

RESOLVED:

That planning permission be REFUSED due to the reasons as stated in the report.

RESOLVED:

That consent be REFUSED due to the reason as stated in the report.

Item 3 – 0658/15 – Conversion and restoration of threshing barn to agricultural workers dwelling; erection of three bay car port and part field converted to domestic curtilage (Full Planning Permission), Holland Park Farm, South Tawton

Members were advised that the application had been WITHDRAWN.

Item 4 – 0002/16 – Change of use to live-work unit (Full Planning Permission), Kingswood House, Exeter Road, South Brent

The Case Officer, noting an omission in the report, clarified on the plans that the proposal also included an extension on the ground floor to accommodate workshop space. Members were advised that the small unit of 99sqm would be tied as per the conditions. In response to a question from a Member, that if a change of use to residential for the whole building were to be proposed, the Case Officer confirmed that this would require planning permission and a loss of employment space would be a concern under the terms of policy COR18.

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Date 1-4-16

Mr Hitchins proposed the recommendation, which was seconded by Mr Welber.

RESOLVED:

That, subject to the conditions as stated in the report, permission be GRANTED.

Item 5 – 0017/16 - Erection of machinery and hay store (Full Planning Permission), Welltown Farm, Walkhampton

Members were advised that the application had been WITHDRAWN.

1126 Monitoring and Enforcement

Members received the report of the Head of Planning (NPA/DM/16/010).

Item 1 – ENF/0011/16 – Unauthorised use of land as a caravan site, Nurston Bungalow, Dean Prior, South Brent

Speaker - Mr S Mabin - Occupier

The Case Officer informed Members that the Parish Council had confirmed that it supported the recommendation and agreed that the unauthorised residential use of the land should cease and the mobile home removed.

Members were advised that in 2006 a mobile home was brought onto the land and occupied by the son of the landowner, his partner and their children as ancillary accommodation to the primary dwellinghouse. In July 2013, a second mobile home was brought onto the land as a replacement for the earlier one, which had been leaking and uninhabitable. The replacement mobile home was being occupied by the son of the landowner for residential purposes. The mobile home, the subject of the report, had both cooking and washing facilities as well as two bedrooms and was being used as a separate residential unit, not as accommodation incidental to the primary dwelling and therefore constituted a breach of planning control.

The Case Officer reported that an area of elevated decking had been erected at the end of the mobile home which was considered to be detrimental to that part of the National Park. If allowed to remain, it would have an even greater impact if and when the mobile home is removed. The removal of that area of decking therefore was included as part of the recommendation. There had been no case proven for the need for an additional rural workers dwelling and if a need had been proven, the siting and use of a mobile home would not have been supported on an established farm with an existing farmhouse.

In conclusion, the Case Officer informed Members that the siting and use of the mobile home had resulted in an open market unit of residential accommodation in the countryside, outside any defined settlement. That is unauthorised development contrary to policy and the issue of an enforcement notice requiring the cessation of the unauthorised residential use of the land

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Date ... 1 - 4 - 16

and removal of the mobile home was considered necessary. Members were therefore asked to authorise the appropriate legal action.

Mr Mabin explained that he had written to the Authority in 2010 with regards to the leaking and uninhabitable mobile home and stated that it did not have any cooking facilities, only gas bottles for hot water for his baby. He informed Members that it was essential for him to be with his family on the farm as the farm was a dairy farm upon which he worked all the time and due to the loss of his grandparents and mother and his dad being registered disabled, he was now his dad's career. He felt that there had been no issues with the mobile home until neighbours had decided to complain. He confirmed that he would be happy to remove the decking and repaint the mobile home a greenish colour to blend in more with the surroundings. He advised Members that the mobile home had always been within the curtilage of his dad's garden. He confirmed that now the weather was changing for the better he would organise the removal of the other mobile home.

Dr Mortimer expressed his sympathy but stated that the personal circumstances did not outweigh the harm and proposed the recommendation, which was seconded by Mr Gribble.

RESOLVED:

That the appropriate legal action be taken to secure the cessation of the use of the land for the siting of a mobile home for residential purposes and to secure the removal of the mobile home and decking from the land.

1127 Appeals

Members received the report of the Head of Planning (NPA/DM/16/011)

RESOLVED:

Members noted the content of the report.

1128 Enforcement Action Taken Under Delegated Powers

Members received the report of the Head of Planning (NPA/DM/16/012)

RESOLVED:

Members noted the content of the report.

1129 Appointment of Site Inspection Panel and Arrangements for Site Visits

None.

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Date 1 - 4 - 16